

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION**

IN RE:

CASE NO.: 21-22331-JAD

John W. Trueblood,

CHAPTER 13

Debtor,

/

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN DATED
NOVEMBER 15, 2021**

USAA Federal Savings Bank ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan dated November 15, 2021 (DE #16), and states as follows:

1. Debtor, John W. Trueblood, filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on October 28, 2021.
2. Secured Creditor holds a security interest in the Debtor's personal property described as a 2014 Hyundai Elantra (VIN # 5NPDH4AE6EH459247), by virtue of a Note, Disclosure and Security Agreement – Nonnegotiable Promissory Note dated June 27, 2017. Said Contract secures a Note in the amount of \$9,069.00.
3. Secured Creditor has filed a Proof of Claim in this case on November 5, 2021, Claim No. 1-1.
4. The filed Proof of Claim shows the total amount owed of \$5,518.30 and a pre-petition arrearage of \$4,965.35. Secured Creditor's NADA Used Car valuation shows a Clean Retail Value of \$9,975.00.
5. The Debtor filed an Initial Chapter 13 Plan dated November 15, 2021 on November 24, 2021.

6. The Plan does not provide treatment of Secured Creditor's Claim. Secured Creditor's NADA valuation shows a Clean Retail Value of \$9,975.00 for this vehicle. The payoff per the claim shows the total amount owed of \$5,518.30 and a pre-petition arrearage of \$4,965.35. Therefore, Secured Creditor's is requesting to be fully secured to the amount of \$5,518.30.

7. The Plan does not appear feasible due to the failure to provide treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Date: 12/09/2021

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 10, 2021, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

John W. Trueblood
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Kenneth Steidl
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Office of the United States Trustee
Liberty Center.
1001 Liberty Avenue, Suite 970
Pittsburgh, PA 15222

Date: 12/09/2021

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